GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:4574
ANSWERED ON:29.03.2017
Foreign Law Firms
Jayavardhan Dr. Jayakumar;Patil Shri Vijaysinh Mohite;Singh Shri Bharatendra;Verma Shri Anshul

Will the Minister of LAW AND JUSTICE be pleased to state:

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

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LOK SABHA

UNSTARRED QUESTION NO. 4574
TO BE ANSWERED ON 29.03.2017

Foreign Law Firms

4574. KUNWAR BHARATENDRA:
SHRI ANSHUL VERMA:
DR. J. JAYAVARDHAN:
SHRI MOHITE PATIL VIJAYSINH SHANKARRAO:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government proposes to allow entry of foreign legal firms in the country;
(b) if so, the details thereof along with the reasons therefor and the process laid down for the said entry;
(c) whether the Advocates Act prevents non-citizens/firms from carrying out legal business in India;
(d) if so, the details of the proposal being prepared by the Government to integrate foreign legal firms and profession of advocates;
(e) whether new rules/amendment in the Advocates Act are likely to enable Indian Legal firms to set up offices in other countries and get the services of able foreign partners and if so, the details thereof;
(f) whether this move will pave the way for unregulated and backdoor entry of foreign law firms into the country and if so, the details thereof; and
(g) whether the Bar Council of India and a top confederation of law firms have lodged protest with his ministry over move of the Government to revoke ban on foreign firms in special economic zones and if so, the details thereof and the reaction of the Government thereto?

Answer

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY

(SHRI P.P. CHAUDHARY)

(a), (b), (d),(e),(f) and (g) : The matter regarding entry of foreign lawyers/law firms is under consideration of Government.

(c) : No Madam. As per Section 47 of the Advocates Act, 1961 persons other than citizens of India shall be recognised for the purpose of admission as an advocate under the Act on reciprocal basis. Section 47 of the Advocates Act, 1961 is reproduced as under:-

"47. Reciprocity.â€”(1) Where any country, specified by the Central Government in this behalf by notification in the Official Gazette, prevents citizens of India from practising the profession of law or subjects them to unfair discrimination in that country, no subject of any such country shall be entitled to practise the profession of law in India.
(2) Subject to the provisions of sub-section (1), the Bar Council of India may prescribed the conditions, if any, subject to which foreign qualifications in law obtained by persons other than citizens of India shall be recognised for the purpose of admission as an advocate under this Act."